

OCT 04 2004

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Mail Stop RCE  
Alexandria, VA 22313-1450

|                        |                |
|------------------------|----------------|
| Application Number     | 09/767,057     |
| Filing Date            | 1/22/2001      |
| First Named Inventor   | U. Murschall   |
| Art Unit               | 1774           |
| Examiner Name          | L. D. Ferguson |
| Attorney Docket Number | 00/050MFB      |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

a.  Previously submitted

- Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

|  |  |
|--|--|
| I. <input checked="" type="checkbox"/> Amendment/Reply   | III. <input type="checkbox"/> Information Disclosure Statement (IDS)     |
| II. <input type="checkbox"/> Affidavit(s)/Declaration(s) | IV. <input type="checkbox"/> Other Petition for Revival of a Patent app. |

## 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b.  Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2193

- RCE fee required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.136 and 1.17)
- Other Petition for Revival of an Application for Patent Abandoned Unintentionally

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

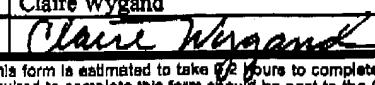
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |   |                                   |            |
|-------------------|---|-----------------------------------|------------|
| Name (Print/Type) | Cathy R. Moore  | Registration No. (Attorney/Agent) | 45,764     |
| Signature         |  | Date                              | 10/01/2004 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |   |      |            |
|-------------------|---|------|------------|
| Name (Print/Type) | Claire Wygand   | Date | 10/01/2004 |
| Signature         |  |      |            |

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OCT 04 2004

PTO/85/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL  
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 900.00)

## Complete If Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/787,057       |
| Filing Date          | January 22, 2001 |
| First Named Inventor | MURSCHALL        |
| Examiner Name        | L. D. Ferguson   |
| Art Unit             | 1774             |
| Attorney Docket No.  | 00/060MFE        |

## METHOD OF PAYMENT (check all that apply)

|   |   |                                      |                                |                               |
|---|---|--------------------------------------|--------------------------------|-------------------------------|
| <input type="checkbox"/> Check            | <input checked="" type="checkbox"/> Credit card | <input type="checkbox"/> Money Order | <input type="checkbox"/> Other | <input type="checkbox"/> None |
| <input type="checkbox"/> Deposit Account: |   |                                      |                                |                               |
| Deposit Account Number                    | 50-2193   |                                      |                                |                               |
| Deposit Account Name                      | ProPat  |                                      |                                |                               |

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity      | Small Entity | Fee Code (\$)          | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|------------------------|---------------|-----------------|----------|
| 1001 770          | 2001 385     | Utility filing fee     |               |                 |          |
| 1002 340          | 2002 170     | Design filing fee      |               |                 |          |
| 1003 630          | 2003 265     | Plant filing fee       |               |                 |          |
| 1004 770          | 2004 385     | Reissue filing fee     |               |                 |          |
| 1005 160          | 2005 80      | Provisional filing fee |               |                 |          |
| SUBTOTAL (1) (\$) |              |                        |               |                 |          |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|----------------|----------|
|              |                    |                    | -20** =        | X        |
|              |                    |                    | -3** =         | X        |
|              |                    |                    |                |          |

| Large Entity      | Small Entity | Fee Code (\$)  | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|--|---------------|-----------------|----------|
| 1202 18           | 2202 9       | Claims in excess of 20                                     |               |                 |          |
| 1201 86           | 2201 43      | Independent claims in excess of 3                          |               |                 |          |
| 1203 290          | 2203 146     | Multiple dependent claim, if not paid                      |               |                 |          |
| 1204 86           | 2204 43      | ** Reissue independent claims over original patent         |               |                 |          |
| 1205 18           | 2205 9       | ** Reissue claims in excess of 20 and over original patent |               |                 |          |
| SUBTOTAL (2) (\$) |              |  |               |                 |          |

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$)                     | Fee Code (\$) | Fee Description  | Fee Paid |
|-----------------------------------|---------------|--|----------|
| 1051 130                          | 2051 66       | Surcharge - late filing fee or oath  |          |
| 1052 50                           | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                          | 1053 130      | Non-English specification  |          |
| 1812 2,520                        | 1812 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 820*                         | 1804 820*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                       | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                          | 2251 56       | Extension for reply within first month                                     |          |
| 1252 420                          | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950                          | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480                        | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010                        | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330                          | 2401 165      | Notice of Appeal   |          |
| 1402 330                          | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290                          | 2403 146      | Request for oral hearing   |          |
| 1451 1,610                        | 1451 1,610    | Petition to Institute a public use proceeding                              |          |
| 1452 110                          | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330                        | 2453 885      | Petition to revive - unintentional   |          |
| 1501 1,330                        | 2501 885      | Utility issue fee (or reissue)   |          |
| 1502 480                          | 2502 240      | Design issue fee   |          |
| 1503 640                          | 2503 320      | Plant issue fee  |          |
| 1460 130                          | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50                           | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1808 160                          | 1808 160      | Submission of information Disclosure Stmt                                  |          |
| 8021 40                           | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770                          | 2809 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770                          | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770                          | 2801 385      | Request for Continued Examination (RCE)                                    | 780.00   |
| 1802 900                          | 1802 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)               |               |  |          |
| *Reduced by Basic Filing Fee Paid |               |  |          |
| SUBTOTAL (3) (\$)                 |               | 900.00   |          |

(Complete if applicable)

| Name (Print/Type) | Signature   | Registration No. (Attorney/Agent) | Date         | Telephone    |
|-------------------|---|-----------------------------------|--------------|--------------|
| Cathy R. Moore    |  | 46,784                            | Oct. 1, 2004 | 704 385-4881 |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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